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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,938	12/12/2003	Lee W. Atkinson	200300687-1	1470
22879	7590	10/16/2007	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			PHAM, THOMAS K	
		ART UNIT	PAPER NUMBER	
		2121		
		MAIL DATE	DELIVERY MODE	
		10/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/734,938	ATKINSON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Thomas K. Pham	2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 September 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to..
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                        |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____.  |

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**Response to Amendment**

1. This action is in response to the amendment filed 09/05/2007.
2. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection presented in this Office action.

**Quotations of U.S. Code Title 35**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim Rejections - 35 USC § 102**

5. Claims 1-2, 4-5, 8-13 and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,845,456 ("Menezes").

**Regarding claim 1**

Menezes teaches "a system, comprising: power management logic" (see FIG. 5, Power Management Control 507); "an electrical load coupled to the power management logic and configurable to operate in accordance with of a plurality of power states" (see col. 5 lines 28-42); "wherein, if an operating voltage for the system is between two thresholds, the power management logic forces the electrical load to operate in a reduced power state" (see col. 6 lines 13-25); "wherein said electrical load comprises at least one of a CPU, a display, and memory" (see FIG. 5 and col. 4 lines 39-50).

**Regarding claim 12**

Menezes teaches "a system, comprising: an electrical load configurable to operate in accordance with any of a plurality of power states" (see col. 5 lines 28-42); "and power management means coupled to the load for forcing the system to operate in a reduced power state when an operating voltage for the electrical load is between two voltage levels" (see col. 6 lines 13-25).

**Regarding claim 16**

Menezes teaches "a power management logic unit configured to operate in a system" (see FIG. 5, Power Management Control 507), "comprising: control logic that receives first and second signals, determines whether an operating voltage for a load is between first and second reference voltages based on the first and second signals and, if so, causes the system to operate in a non-programmable, reduced performance mode" (see col. 4 lines 39-60 and col. 6 lines 13-25).

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**Regarding claim 18**

Menezes teaches “a method, comprising: comparing an operating voltage for a load to a first reference voltage and to a second reference voltage” (see col. 4 lines 39-60); “and when the operating voltage is between the two reference voltages, requiring a system to operate in a less than full performance mode” (col. 6 lines 13-25).

**Regarding claim 2**

Menezes teaches a pair of comparators coupling the operating voltage to inputs of the power management logic, each comparator having a reference voltage different from each other (see col. 4 lines 39-52).

**Regarding claim 4**

Menezes teaches the power management logic determines whether the operating voltage is between the reference voltages (see col. 6 lines 13-25).

**Regarding claim 5**

Menezes teaches the system comprises a computer (see col. 3 lines 48-59).

**Regarding claim 6**

Menezes teaches the CPU is coupled to the power management logic and the reduced power state comprises a reduced average clock frequency of a CPU clock (see col. 5 lines 58-67).

**Regarding claim 14**

Menezes teaches the means for forcing the system to operate in the reduced power state comprises means for reducing a clock frequency associated with a CPU in the system (see col. 5 lines 58-67).

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**Regarding claim 8**

Menezes teaches if the power management logic determines the operating voltage is above both of the two thresholds, the power management logic permits the system to operate in a full performance power state (see col. 4 lines 52-60).

**Regarding claim 9**

Menezes teaches if the power management logic determines the operating voltage is above both of the two thresholds, the power management logic permits the system to operate in any one of a plurality of power states (see col. 5 lines 28-42).

**Regarding claim 10**

Menezes teaches the power states are programmable (see col. 6 lines 26-32).

**Regarding claim 11**

Menezes teaches if the power management logic determines the operating voltage is below both of the two thresholds, the power management logic causes the system to operate in any one of a plurality of power states (see col. 4 line 61 to col. 5 line 7).

**Regarding claim 13**

Menezes teaches means for permitting the system to operate in any of a plurality of power states when the operating voltage is not between the two voltage levels (see col. 5 lines 28-42).

**Regarding claim 15**

Menezes teaches means for determining whether the operating voltage is between the two voltage levels (see col. 6 lines 13-25).

**Regarding claim 17**

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Menezes teaches the control logic determines whether the operating voltage is not between the first and second reference voltages and, if so, permits the system to operate in a mode that requires more power than the reduced performance mode (see col. 4 lines 39-60).

**Regarding claims 19 and 20**

Menezes teaches the reference voltages comprise a first reference voltage and a second reference voltage and the first reference voltage is higher than the second reference voltage (see col. 3 lines 29-47), and the method further comprises permitting the system to operate in any one of a plurality of programmable modes only if the operating voltage is above the first reference voltage or below the second reference voltage (see col. 5 lines 8-27).

**Claim Rejections - 35 USC § 103**

6. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menezes.

**Regarding claim 3**

Duley discloses the lower and upper thresholds in the range of anywhere from 55% to 80% (see col. 5 lines 58-67). It should be noted that the threshold values set forth (e.g. 15.5 VDC and 14.5 VDC) is given very little patentable weight. In the absence of any new or unexpected results, the threshold values are considered to be set to any values operate on a specific device.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menezes in view of U.S. Patent No. 5,991,883 ("Atkinson").

**Regarding claim 7**

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Menezes does not specifically teach wherein the reduced power state comprises a dimmed display.

However, Atkinson teaches a system for power conservation in a portable computer system including a dimmed LCD display (see Col. 2 lines 55-63) for the purpose of reducing the power of the display when high performance is not required (see Col. 2 lines 64-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the display system of Atkinson with the system of Menezes for the purpose of reducing the power of the display when high performance is not required.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday - Friday from 7:30 AM - 4:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Thomas Pham**  
*Primary Examiner*



October 12, 2007